

REMARKS / ARGUMENTS

The present Amendment is in response to the Office Action mailed June 20, 2006. Claims 1-3, 5, 12-14 and 21-22 are amended. Claims 1-26 remain pending in view of the above amendments.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. The remarks or lack of remarks here are not to be construed as an admission of the Examiner's conclusions regarding the cited art. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Examiner Interview

Applicant expresses thanks to the Examiner for the Telephonic Interview conducted on December 15, 2006. This response includes the substance of the interview.

Rejections Under 35 U.S.C. § 112

The Office Action rejected claims 1-26 under 35 U.S.C. § 112, first paragraph. The Examiner states that claims 1, 12, 14, and 21 recite limitations that are new matter. The amendments submitted in the prior response and in this response are supported at least at ¶¶ [052], [059], [061]-[063], [072]-[073], and [076]-[079], and Figure 5.

As discussed during the interview, the Examiner has agreed to withdraw the rejections under 35 U.S.C. § 112.

Rejections Under 35 U.S.C. § 103

The Office Action rejected claims 1, 2, 5-17, and 19-26 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,283,761 (*Joao*) in view of U.S. Patent 6,343,271 (*Peterson*) and in view of Applicant's prior art admissions in the background

of the invention of the present application. Claims 3 and 18 are rejected under 35 U.S.C. § 103 as being unpatentable over *Joao* and *Peterson* and Applicant's prior art admissions and further in view of Robinson-Crowley, Christine ("Understanding Patient Financial Services") (*Robinson*). Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over *Joao*, *Peterson*, and *Robinson* in view of U.S. Patent No. 5,070,452 (*Doyle*). Applicants respectfully traverse the rejections.

The claims have been amended as discussed at the interview. Claim 1, for example, has been amended to clarify that it is the server system that is performing the method. Claim 1 further reflects that the method occurs prior to adjudication of the insurance claim by a carrier. For example, the server system verifies the insurance claim that the insurance claim is in condition for transmission to the carrier prior to adjudication of the insurance claim by the carrier. Claim 1 also recites that the server system receives the supporting document associated with the insurance claim at a time of submission of the insurance claim and prior to adjudication of the insurance claim by the carrier.

Claim 1 has been further amended to require that the server system verify that the insurance claim is acceptable for the carrier. After transmitting the insurance claim to the carrier, the server system then notifies the carrier that an image of the supporting document is available to enable the carrier to adjudicate the insurance claim.

As discussed at the interview, the ability of the server system to identify supporting documents than need to be submitted with the insurance claim prior to adjudication of the claim and at the time of submission of the insurance claim is not taught or suggested by the cited art. Typically, the supporting documents are not necessarily known prior to adjudication by the carrier. Further, in claim 1, it is the server system and not the carrier that is identifying the supporting document. Claim 1 provides the advantage of being able to store the supporting document as an electronic image that can then be made available to the carrier when the carrier adjudicates the claim.

For at least these reasons and as discussed during the interview, claim 1 as amended is believed to overcome the art of record.

Claim 14 has been amended to clarify that it is a client system that is performing the method. In this example, claim 14 requires that the client system receive verification that the insurance claim is in condition for advance payment. After the insurance claim is verified, the client system receives a first portion of the advance payment in a first account. A second portion of the advance payment is credited to a second account that is not accessible to the institutional health care provider until debited at least for service fees by an entity that advanced payment to the client system.

As discussed at the interview, *Joao* and *Peterson* fail to teach or suggest several of the elements including "receiving verification that the insurance claim is in condition for advance payment" and "receiving a first portion of the advance payment for the insurance claim in a first account, wherein a second portion is credited to a second account that is not accessible to the institutional health care provider until debited at least for service fees".

For at least these reasons and as discussed during the interview, the art fails to teach or suggest claim 14, which is therefore believed to be in condition for allowance.

Claim 21 has been amended to reflect that the method is being performed primarily by a computer system associated with a carrier. In claim 21, the computer system receives an insurance claim from a payment entity, which payment entity has made a fund distribution request to a financial entity such that a first portion of an advance payment is accessible to a health care provider and a second portion is not accessible to the health care provider.

After the carrier adjudicates the insurance claim and makes payment to the payment entity, the payment entity debits the second portion for service fees, interest, or unpaid balances and then credits any remaining part of the second portion to the health care provider.

As discussed at the interview, the cited art does not teach or suggest a computer system of a carrier that can access an electronic image of a supporting document that is stored on a server system of a payment entity. The cited art further fails to teach the advance payment by the payment entity as required by claim 21.

For at least these reasons and for the reasons discussed during the interview, Applicants respectfully submit that claim 21 is in condition for allowance.

Conclusion

In view of the foregoing, and consistent with tentative agreements reached during the Examiner Interview, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 18th day of December 2006.

Respectfully submitted,

/Carl T. Reed/ Reg. # 45454
CARL T. REED

Registration No. 45,454
Attorney for Applicant
Customer No. 022913
Telephone: (801) 533-9800